



## City of Seattle

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Department of Planning and Development

D. M. Sugimura, Director

### CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT

**Project Number:** 3010684

**Applicants:** Steve Sears, Fuller Sears architects, for Safeway Corp.

**Address:** 2620 California Avenue SW

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a 20-foot single story building containing 6,860 square feet of retail commercial space and surface parking for twenty vehicles.\*

The following Master Use Permit components are required:

**Design Review** - Section 23.41, Seattle Municipal Code (SMC)  
*Street-level Development Standards (setbacks) SMC 23.47A.008 A 3*

**SEPA-Threshold Determination** (Chapter 25.05 SMC).

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

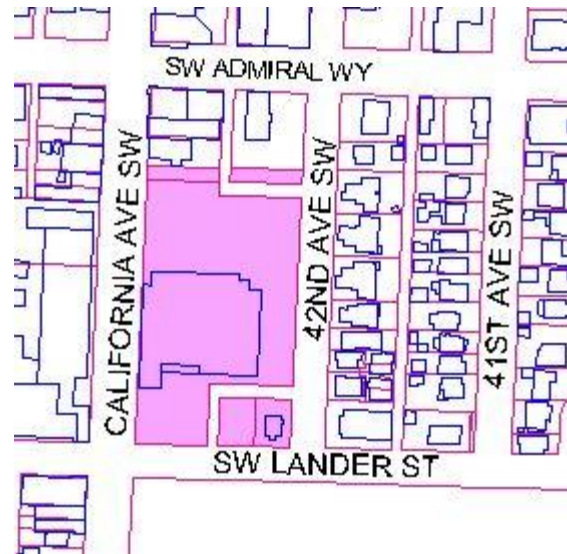
☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction.

\*The project was originally noticed together with #3009367 (2622 California Avenue SW) as a single development. Application 3009367, which includes a proposed rezone and alley vacation, is the subject of a separate Director's decision. MUP 3010684 is related to 32010685, a Lot Boundary Adjustment.

## **SITE BACKGROUND INFORMATION:**

The site is located at 2622 California Avenue SW, extending between California Ave SW and 42<sup>nd</sup> Ave SW, and from SW Lander Street north to a point approximately 150 feet south of SW Admiral Way. The irregularly shaped site abuts two “L”-shaped alleys, one connecting between SW Admiral Way and 42<sup>nd</sup> AV SW on the north and a second connecting SW Lander Street to 42<sup>nd</sup> Ave SW at the southeast corner of the site. The site is currently occupied by the existing single-story Admiral Safeway store, surface parking and a single family residence located at the southeast corner of the site. Lafayette Elementary school lies directly across California Ave to the west. Hiawatha playfield lies directly south of the site across SW Lander St. The northern end of the block consists of several smaller commercial buildings that face onto California Ave SW and onto SW Admiral Way. Across from the site, the east side of 42<sup>nd</sup> Ave SW is lined with multi-family residential structures.



The development site slopes up gradually from north to south. The property is zoned Neighborhood Commercial 2 with a forty foot height limit (NC2-40') as are the properties on the west side of California Avenue SW. South of SW Lander Street the property is zoned Single-family (SF5000) and across 42<sup>nd</sup> Ave SW properties are zoned Lowrise (L-3). The site is located within the Admiral Residential Urban Village. The site lies within one block of four City of Seattle Landmark structures, the Admiral Theater and West Seattle Branch of the City of Seattle Public Library to the north, and the Hiawatha Community Center and West Seattle High School to the south.

## **Project Proposal**

The overall proposal, part of which is covered under MUP 3009367, is for a Safeway grocery store occupying 59,581 square feet on the ground floor of a building that will also provide roof-top parking for 141 vehicles, 41 apartment units, and 20,100 square feet of flex-work units. This land use application is for a separate single-story building totaling 6,860 square feet and containing retail shops to be constructed at the northwest corner of the site facing onto California Avenue SW. Surface parking for 20 vehicles will be located to the east of the smaller building. A driveway/ pedestrian pathway, extending from California Avenue SW to 42<sup>nd</sup> Avenue SW, will separate the grocery store building from the smaller shops building and surface parking that will occupy the northernmost thirty percent of the site. The larger development proposal will require City Council actions to vacate the dog-legged alley at the southeast corner of the site and to approve a contract rezone that will designate the entire site as NC3-40. The latter approval will allow the grocery store to expand beyond a maximum size of 50,000 square feet.

MUP 3010685, a Lot Boundary Adjustment, will establish a separate parcel at the northwest corner of the overall development site. The land use application to allow for a single story commercial building and twenty parking spaces at the northwest corner of the site (this application) does not require either the rezone or the alley vacation prior to issuance.

### Public Comment

The Department received two written comments during the SEPA public comment period that ended on December 2, 2009, one objecting to the increase in traffic the proposal would bring, the other objecting to the rezone of the site. Comments were elicited at the Design Review public meetings and are noted below in the discussion of those meetings.

## **ANALYSIS - DESIGN REVIEW**

### **Early Design Guidance I (September 25, 2008)**

### **ARCHITECT'S PRESENTATION**

Bill Fuller of Fuller Sear Architects made the substantive presentation at the meeting on behalf of the developer of the site, Safeway Stores. The applicant proposes for this site of approximately 130,000 square feet to replace the existing Safeway Store with a larger store of some 60,000 square feet, additional retail shop spaces, and 30-50 residential units. Parking would be provided both at the surface and as roof-top parking. Access to the surface parking (accommodating approximately 70 vehicles) in each of the presented alternatives would be provided from California Avenue SW, while access to rooftop parking (accommodating approximately 150 vehicles) would be provided from SW Lander Street or, in alternative 3, from the surface parking area. Each of the proposed alternatives showed a separated building containing additional retail shops that was located facing California Avenue SW at a northern portion of the site. Only the third alternative showed residential units. These were a band of single-loaded units facing 42<sup>nd</sup> Avenue SW; rising to three stories above the grocery store at the southeast corner of the structure and stepping down to two stories at the northern half of the structure.

In making its presentation, the development team referred to the programmatic objectives regarding the site, which included expanding the size of the Safeway store, adding to the retail activity along SW California Avenue in order to activate the street edges, providing convenient access from the neighborhood and adequate parking, providing urban density by "creating great spaces for urban living," and doing this within a time-frame that would minimize the shut-down time for the grocery store (16 months projected).

In order to achieve the programmatic objectives, the development team is seeking both an alley vacation and a rezone from L-3 and NC2 to NC3, which zoning changes would allow for the increased size of the space needed for the grocery expansion. In addition, the development team identified two departures from development standards that would be sought for the preferred option:

- unspecified modifications of street-level use and development standards;
- exceeding the maximum allowed width for parking along the street frontage.

(Staff noted that another departure would be required to take vehicle access from the street(s) since there was alley access to the site from the alley on the north which would not be included in the vacation petition.)

The development team also identified for the Board those Design Guidelines from the *Admiral Residential Urban Village Design Guidelines* that they believed to be of highest priority for the project: A-1, A-2, A-3, A-4, A-5., A-6, A-7, A-8, A-9, A-10, B-1, C-1, D-1, D-2, D-3, D-6, and E-2.

## **BOARD CLARIFYING QUESTIONS AND COMMENTS**

The Board asked clarifying questions regarding the architect's presentation which included the amount of parking required and proposed as well as the locations chosen for the parking and the rationale of the proposed residential units.

## **PUBLIC COMMENTS**

There were 9 members of the public who signed in to become parties of record. Three members of the public indicated a general support for the project; the proposal was said to be complementary to the neighborhood plan and an improvement upon the existing situation. One of those expressing general support of the proposal, however, did express a desire to have seen a broader array of alternatives. Another was less favorable to the proposals, commenting that they all were more sub-urban than urban in character. It was further noted that the solution for the site would be implanted there for the next quarter of a century and would set the wrong tone and direction for other development in the area. Specifically stated, the positioning of bulk and height toward 42<sup>nd</sup> Avenue SW was wrong and the primary focus of the project should be toward enlivening California Avenue SW. The entire project, but the residential portion of the program in particular, it was thought, should address in some tangible form the park across SW Lander Street. The break for auto access along California was singled out as particularly "unfortunate." Lastly, one member of the public was strongly critical of the presentation, in that the three massing studies that had been presented were not thought sufficiently different from each other to constitute real alternatives.

## **BOARD DELIBERATIONS**

### **General Directives**

The members of the Board expressed the following, generally shared, concerns regarding the proposal which echoed some of the comments from the public:

- The presentation had not provided siting and massing alternatives that were sufficiently differentiated from each other.
- The schemes proposed were more appropriate for a sub-urban site rather than for one in the heart of a Comprehensive Plan-designated Urban Residential Village.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's *Design Review: Guidelines for Multifamily & Commercial Buildings* of highest priority to this project.

## **DESIGN GUIDELINES**

### **A Site Planning**

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#### *A-1 Responding to Site Characteristics*

*The siting of buildings should respond to specific site conditions and opportunities.*

#### *A-2 Streetscape Compatibility*

*The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.*

#### *A-4 Human Activity*

*New development should be sited and designed to encourage human activity on the street*

#### *A-8 Parking and Vehicle Access*

*Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.*

#### *A-9 Location of Parking on Commercial Street Fronts*

*Parking on commercial street fronts should be minimized and where possible should be located behind a building.*

The guidelines above were all chosen by the board to be of high priority. The Board desires that future design development should clearly demonstrate how the design responds to the Hiawatha Playfield directly across SW Lander Street. This was deemed an important edge, one requiring a substantial response.

Among the desirable streetscape qualities noted by the Board was a rhythm of continuous retail along California Ave SW and any break in that desirable rhythm, for example for vehicular access, stood in need of a cogent rationale. There needed to be a careful sectional analysis of the relation of proposed heights, setbacks, etc., of the residential portion of the structure along 42<sup>nd</sup> Avenue SW to existing residential structures across the street.

The Board questioned the desirability of the proposed curb cut along California Avenue SW, but also observed that it “might be OK” if it were “part of a great design.”

The Board expressed concern regarding possible negative visual and aesthetic impacts of the rooftop parking area

Human activity on the street should be promoted by the interface of sidewalk and retail spaces; the applicant should be prepared to demonstrate how the proposed grocery and other retail spaces provide for an enlivening of the street.

The location and quality of usable open space for the residents should be considered a significant element of the design especially as it might interface with the rooftop parking.

#### *B-1 Height, Bulk and Scale*

*Projects should be compatible with the scale of development anticipated by the applicable land use policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zone.*

In citing this guideline the Board took exception to what was regarded as a lack in the applicant’s presentation of a clear set of contrasting siting and massing alternatives. It was the Board’s

expectation that when the project was again presented that there would more clearly articulated alternatives.

## *C Architectural Elements and Materials*

### *C-2 Architectural Concept and Consistency*

*Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.*

*Buildings should exhibit form and features identifying the functions within the building.*

*In general, the roofline or top of the structure should be clearly distinguished from its façade walls*

### *C-4 Exterior Finish Materials*

*Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

The Board indicated these guidelines to be of highest priority for the project without much further comment except to request at the next presentation some hint of the direction they were heading in choices of materials.

## *D Pedestrian Environment*

### *D-2 Blank Walls*

*Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.*

### *D-6 Screen Dumpsters, Utilities and Service Areas*

### *D-11 Commercial Transparency*

*Commercial store fronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.*

The Board observed that the project appeared to propose an inordinate amount of “green wall.” The design team should provide studies of the proposed pedestrian environment on all three street sides of the project as well as along the parking lot and vehicular driveway and entry. The Board would expect to see fuller details of the loading dock, dumpster and storage areas as design development occurred. Studies of the rooftop parking area as almost a separate façade would likewise be expected as design development occurred. A particular area of concern was any visual impact the rooftop parking area would have on the Hiawatha Playfield area to the south of the project.

## *E Landscaping*

### *E-1 Reinforce existing landscape character of the neighborhood*

*Landscaping should reinforce the character of neighborhood properties and abutting streetscape.*

### *E-2 Landscaping to enhance the building and site*

*Landscaping should be appropriately incorporated into the design to enhance the project*

### *E-3 Landscape Design to Address Special Site Conditions*

*The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.*

Landscaping should be designed with the goal of realizing the prioritized guidelines, should soften the edge conditions where appropriate, and should contribute to attractive and usable open spaces. The SW Lander Street edge of the development was singled out as of particular importance since it interfaced with the Hiawatha Playfield across the way. The Board would expect to see a comprehensive Landscape Plan, one that treats not only on-site open spaces but surrounding street conditions and the edges where the proposed structure meets the public realm.

### **Departures from Development Standards:**

The development team indicated that their preferred scheme would require departures from street-level uses and development standards, without further specification, as well as a departure to allow the width of a surface parking area to exceed sixty lineal feet of street frontage (SMC 23.47.032 B1c). *(These early identified departures related to the grocery store structure only.)*

The Board unanimously recommended that the applicants return for a second Early Design Guidance meeting at which time a more clearly differentiated set of alternatives could be proposed.

### **Staff Comments:**

DPD concurred in the Board's recommended request for a second Early Design Guidance meeting. At the second Early Design Guidance meeting, the applicants were asked to present a more comprehensive analysis of alternative schemes for the siting of parking and structures and overall massing as these were relate to the developer's programmatic intentions and expectations regarding the site. DPD's noted that it was the Department's expectation that the Board would take advantage of a second Early Design Guidance meeting to impart greater articulation to specific expectations relating to those Design Guidelines that they had already designated to be of highest priority for the project and to make reference to the Admiral Residential Urban Village Design Guidelines as might be appropriate.

### **Early Design Guidance Meeting II (November 20, 2008)**

A second Early Design Guidance meeting was convened at 6:30 P.M. on November 20, 2008, at the West Seattle Library.

### **ARCHITECTS' PRESENTATION**

For the second meeting of the Board on this project, the design team once again presented their client's programmatic requirements, which they indicated remained unchanged from the first presentation to the Board. These included: expanding the size of the Safeway store to 58,000 square feet, adding to the retail activity along SW California Avenue in order to activate the street edges, providing convenient access from the neighborhood and adequate parking (described as 3 vehicles per 1,000 square feet of grocery store space), providing urban density by constructing 30-40 residential units as part of the project, and doing this within a time-frame that would minimize the shut-down time for the grocery store (which could not exceed 16 months).

Four alternatives, additional to the three presented at the earlier meeting, were then briefly presented to the Board and the public. Alternative #4 moved the grocery store further north on the site and provided a "C"-shaped, 70-unit residential component facing Hiawatha Playfield on the south. An upward sloping ramp bisected the residential structure, providing access to rooftop parking above the grocery store. An added one story retail building at the northwest corner of the

site extended its shorter façade along California Avenue SW. Alternative #5 wrapped a slightly smaller residential portion of the structure (containing 45 units) in an “L”-shape around the corner of 42<sup>nd</sup> Avenue SW and SW Lander Street. As in alternative #4, the additional retail building offered its smaller dimension to SW California Avenue. Alternative #6 presented a configuration of grocery store, residential units, and added one-story retail building that was described as Code-compliant and requiring no re-zone or alley vacation.

It was explained that each of these three alternatives had been dismissed by the design team and client because they would not allow for program viability, either in required store space, basic parking needs, or time required for construction and closure of the existing store. Alternative #7 was then presented. It showed a single story, 58,000 square foot grocery store, occupying the southern two-thirds of the site and set to the sidewalks along both SW California Avenue and SW Lander Street. *A single story rectangular retail building with its longer façade set to the sidewalk at SW California Avenue occupied the northwest corner of the site.*

Surface parking was located behind the smaller structure and on the roof of the proposed new grocery store. Between SW Lander Street and the north edge of the grocery store building was a four-story strip of residential units running along 42<sup>nd</sup> Avenue SW. A through-block driveway (alley) separated the grocery store and residential units from the separate, smaller retail building and the surface parking. A ramp connected this driveway to the rooftop parking area. There were entries to the grocery store from SW California Avenue at both the north and south ends of the store. Elevators and escalators connecting the store to the rooftop parking were located within an extended height atrium that ran from the northern entry some distance along SW California Avenue.

### **Board’s Questions**

Following the design team’s presentation, it is customary for the Board to address a number of questions to the design team in order to clarify for themselves and the public aspects of the project which may not have been totally apparent during the course of the presentation. The Board’s first question was a request to explain the precise differences between the “preferred option” (#3) presented at the first Early design Guidance meeting and alternate #7. The architects’ response was that the scheme was essentially the same in siting and massing since the earlier preferred alternative was that which in their estimate best met the programmatic requirements of the client. One distinguishing feature of Alternate #7, it was noted, was that the through-block drive bisecting the lot was now proposed as an “alley relocation,” substituting for the “L”-shaped alley that connected SW 42<sup>nd</sup> Avenue to SW Lander Street. The existing alley, of dubious functional or other worth, would be replaced by a “Woonerf-style” passageway that would directly connect 42<sup>nd</sup> Avenue SW to California Avenue SW and serve equally both pedestrian and vehicular needs through the site.

A second Board question was a request to explain how the project addressed an earlier Board concern that the proposed grocery store was “too *suburban*.” In response the architects pointed to the fact that the grocery was set at the sidewalk line along both California Avenue SW and SW Lander Street and provided abundant transparency into the store from each of the streets. Additionally, the location of a four story residential apartment structure that intervened between the store and “residential” SW 42<sup>nd</sup> Avenue diminished the amount of blank façade presented to the periphery of the site. There would be “garage-type” roll-up doors along the relocated alley that would allowed for a general openness into the store from that approach. Finally, there had been a compression of the proposed parking to 3 vehicles to 1000 square feet of store space (whereas the

client's suburban would call for 5 vehicles per 1000). Following other comments from the Board that they had not seen a single alternative with underground parking, and that it was not appropriate for the Board to be constrained by the applicant's program (in particular considerations regarding projected construction time) the chair opened the meeting to public comment.

### **PUBLIC COMMENT**

One of those in attendance expressed his agreement with the frustration manifested by some of the Board members following the design team's presentation. He noted that there were several significant issues with the project. These had begun with a fundamental misreading of the site: the site was at the core of the Admiral Residential Urban Village and as such was meant to have much higher density than was proposed. The proposal area was said to contain half of the development potential that was left in the Admiral area. As the neighborhood center, the site was intended to have much more retail activity as well as residential density. Further, the speaker claimed, the site could yield underground parking and extensive additional development without the existing store being closed at all.

*The bulk of the comments elicited from the public, however, voiced support for the project and the design team's preferred alternate #7. One member of the public expressed gratitude for the applicant's willingness to invest in the community in a this time of economic uncertainty. Several individuals expressed a conviction that the increased residential density introduced to the site was just about right for the Admiral neighborhood. While there was general support for the parking as shown (at grade and on the roof), a couple of individuals demurred, promoting the idea of at least some underground parking being incorporated into the project. One supporter of alternative #7 thought the colors of the project (graphic presentations showed the grocery store, separated retail building and residential apartment structure in white) should be "toned down" and suggested a pallet of "earthier colors."*

### **Board's Deliberation**

After eliciting and hearing public comment the Board found its own time for deliberation compressed due to the need to depart the meeting venue (the West Seattle Branch Library) in 15 minutes or less. Several Board members expressed frustration both at the time restraints and the feeling that the design team had not gone much beyond what they had presented at the first Design Review Early Design Guidance meeting. One Board member expressed disappointment at coming to the meeting and looking at essentially the same building that had been shown before, a building described as a "suburban building slid onto the site." Disappointment was also expressed that the applicant and the architects did not seem to realize how important a site this was. One complaint was that the design team did not offer the Board many of the things the Board had asked to be incorporated into a second presentation.

One member of the Board, who had not attended the first meeting, acknowledged personal disappointment that the site was not be being developed either to its commercial or residential potential, but did support the "urban" character of the development and noted that the proposal had responded to a number of the community's desires as expressed in the public comment portion of the meeting. He further noted that, given the complexity of the project process elements—alley vacation and rezone as well as design review, the project would be subjected to protracted reviews and other critiquing eyes, including the Design Commission's.

There was a very brief discussion regarding the merits of the design team's alternate #5 which had shown more ample residential development at the south end of the site facing onto Hiawatha Playfield. It was noted by a couple of the Board members that this scheme had several merits which should not be ignored by the applicants. Given the shortage of deliberation time, however, a vote was called for, asking whether the Board should require the project to return for a third Early Design Guidance meeting. Given a split vote, the Chair noted some positive attributes of the proposal's design and intentions along the SW California Avenue portion of the site and voted to allow the project to proceed to design development, then to a Master Use Permit submittal and an eventual return to the Board for its recommendation of approval. In concluding the meeting the Chair noted that this was an immensely important project for the community and an opportunity that should not be squandered by anything less than a significant effort to get it right on the part of the development team.

### Staff Comments

Following the meeting, staff noted that it was DPD's expectation that the applicant would proceed to design development and to MUP application intake. Prior to MUP intake, however, the applicant would have to petition SDOT for an alley vacation. If feasible, the applicants should present their developed proposal to the Seattle Design Commission for comments and deliberation before returning to the Design Review Board for a Recommendation meeting.

DPD staff further noted that the *Admiral Residential Urban Village Design Guidelines* pre-identify and specify guidelines that are to be designated as being of highest priority for parcels that both abut *Single Family Zoning* and are within the *Commercial Core Area* ("PASF in CCA"). These would include A-5, A-7, C-1, D-1, and D-5, not otherwise singled out by the Southwest Design Review Board. The applicants are reminded that these guidelines should be treated as being of highest priority for the project. The applicants are further reminded that all the guidelines, even those not designated as of highest priority are to be addressed in their design, unless a particular guideline is clearly inapplicable to the site or proposed development.

### Recommendation Meeting, October 22, 2009

A Design Review Board Recommendation meeting was held at 8:00 P.M. at the Youngstown Cultural Arts Center.

### ARCHITECT'S PRESENTATION

Bill Fuller of Fuller Sear Architects provided a brief introduction to the Board and public, recounting reviews by SDOT and the Design Commission *as well explaining the choice of relegating approval of the smaller, separate commercial building to a separate MUP (3010684) in order to allow its development to proceed prior to the grant of approvals (alley vacation, rezone) needed for development of the entire site. He noted that the separate approval of the so-called "shops" building would also require a Lot Boundary Adjustment (MUP 3010683) to segregate the structure and parking area, and that DPD has accepted an application seeking that approval.*

Steve Johnson of the same firm made the substantive presentation at the meeting on behalf of the developer of the site, Safeway Stores. Andy Wiseman, the landscape designer for the project followed up with some brief comments regarding on-site and off-site landscape improvements which included supplemental street lighting, planters and seat walls, and decorative paving at the

intersections of both SW Lander Street and California Avenue SW and SW Lander and 42<sup>nd</sup> Avenue SW. For the intersection at SW Lander and 42<sup>nd</sup> Avenue SW new landscaping was proposed at the park entry.

*By separating the approval of the small “shops” building from the larger development, Safeway would be able to provide a continuity of pharmacy services to prescription customers during the time that the grocery store structure was being demolished and under construction.*

In making their presentation, the development team referred to the overall programmatic objectives regarding the site, which included expanding the size of the Safeway store, adding to the retail activity along SW California Avenue in order to activate the street edges, providing convenient access from the neighborhood and adequate parking, and providing urban density to the tune of 41 apartment units to be located at the southeast corner of the site. Additionally, and a notable change from what had been previously presented to the Board, three stories of “flex work” spaces, totaling 21,100 square feet, would be located along 42<sup>nd</sup> Avenue SW, just to the north of the apartment units. The roof top of the portion of the structure occupied by flex work units would be accessible from the top floor of apartment units and would provide an amenity area for all occupants of the apartment units.

In order to achieve the overall programmatic objectives, the development team would continue to seek both an alley vacation and a rezone from NC2-40 to NC3-40. In addition, the development team identified the following departures from development standards that would be sought for the proposal:

- a departure for not meeting the .30 Seattle Green Factor score for the area of the site to be occupied by the “shops” building and its attendant parking (23.47A.016), even though the overall Seattle Green Factor for the entire development site would exceed the .30 standard;
- a departure for not meeting the minimum depth for commercial spaces (30 feet) for the street-level flex work units proposed along 42<sup>nd</sup> Avenue SW (23.47A.008);
- a departure would be required to take vehicular access from the street(s) since there is alley access to the site from the alley on the north, an alley which would not be included in the vacation petition (23.47A.032);
- departure to allow parking between a structure and the street (23.47A.032);
- departure to allow less than 60 percent façade transparency (23.47A.008);
- departure to allow for a blank façade greater than 20-foot in width (23.47A.008);
- departure to allow blank façade segments to exceed 40 percent of a single façade along the street (23.47A.008).

### **BOARD CLARIFYING QUESTIONS AND COMMENTS**

The Board asked a number of clarifying questions regarding the architect’s presentation which included a question regarding the precise depth in feet proposed for the ground-floor flex work units for which a departure was being sought.

### **PUBLIC COMMENTS**

There were 11 members of the public who signed in to become parties of record. Seven members of the public spoke to the proposal. One indicated unqualified support for the project, noting that the details of the proposal and design were in keeping with the Admiral neighborhood plan and neighborhood-specific guidelines. Some others expressed a qualified approval of the design as

presented while suggesting that the California Avenue façade of the grocery store needed further design enhancements, particularly a greater sense of transparency into the interior of the building and more opportunities for actual physical penetration into the structure from the sidewalk along that façade. More than one member of the public commented on the need for more rooftop greening of the project and especially for screening of the rooftop parking.

One member of the public thought that the addition of the flex work units along 42<sup>nd</sup> Avenue SW was a particularly fine improvement to the overall site planning but noted that the choices to locate the office and elevators along the California Avenue side contributed to a major problem with blank walls and lack of transparency that were already questionable elements in the design. The same individual opined that street improvements proposed along 42<sup>nd</sup> Avenue SW should be continued all the way to SW Admiral Way. Another commentator thought the overall design remained “too suburban,” and called for the greening of the roof of the smaller shops building and a significant increase in the landscaping, particularly that proposed to buffer the rooftop parking on the grocery store building.

## **BOARD DELIBERATIONS**

### **General Directives**

The members of the Board expressed the following, generally shared, opinions regarding the proposal as presented, which echoed some of the comments from the public:

- the project, though improved in this iteration, embodied design issues that in the Board’s view needed further resolution;
- the addition of the flex work units was a good move, although the depth of the units at the sidewalk level could use further adjustment;
- the Board remained concerned regarding the possible negative visual and aesthetic impacts of the rooftop parking area, which in the view of some members ideally should be underground parking; as rooftop parking it needed more landscaping and the effectiveness of its screening from adjacent properties needed further demonstration;
- the Board had previously emphasized that human activity on the street should be promoted by the interface of sidewalk and retail spaces and some members remained skeptical that the location of proposed grocery store functions provided for the enlivening of California Avenue SW they envisioned; the interior of the grocery store building remained in need of substantially greater connectivity with the California Avenue SW sidewalk and the pedestrian experience along that sidewalk;
- interior/exterior connectivity and enhancement of the pedestrian experience along California Avenue SW, the Board were agreed, would require actual penetration of the façade at some mid point to provide for pedestrian movement at least from the outside into the interior of the building;
- the Board had previously noted that the location and quality of open space for the residents of the proposed apartments should be considered a significant element of the design, especially as it would interface with the adjacency of rooftop parking; as shown, the proposed amenity space for residents atop the flex work spaces would be a real asset to the project; the adequacy of screening and landscaping for those units looking directly over the rooftop parking, however, remained a priority concern; it was noted that the Board had earlier referred to the rooftop parking area as “almost a separate façade,” and more detailed studies of this area as such would be expected as design development continued.

## **BOARD'S RECOMMENDATION**

*A single story rectangular retail building, totaling 6,860 square feet, approximately 20-feet in height, with its longer façade set to the sidewalk at SW California Avenue, is proposed to occupy the northwest corner of the site. As explained at the beginning of the design team's presentation, the applicants had chosen to relegate actual approval of the smaller, separate commercial building to a separate MUP in order to allow its development to proceed prior to the grant of approvals (alley vacation, rezone) needed for development of the entire site. The separate approval of the so-called "shops" building would also require a Lot Boundary Adjustment to segregate the structure and parking area and DPD has accepted an application seeking that approval.*

*In terms of process, approval of the design of the smaller building remains part of the Recommendation phase of the Design Review process. The question was raised by DPD staff to the Board whether at this juncture separate design approval could be recommended for the so-called "shops" building since it was clear from the Board's deliberations that recommendation of approval of the entire proposal would require at least one additional Recommendation meeting.*

*After some discussion, the Board members agreed that they would not recommend a grant of a departure to allow less than a .30 Seattle Green Factor score for the segregated "shops" building portion of the site as requested by the applicants. Subsequently, the design was altered so that a .30 Seattle Green Factor score was provided on the "shops" building site, and no departure from that Code requirement was required. No other departures were requested or required for this project.*

In discussing the design of the "shops" building, Board members took note of the palette of materials prepared on a presentation board by the design team and specific references made during the design team's presentation that cues for detailing of the two colors of brick chosen for the "shops" project were taken from the nearby Hiawatha Community Center where horizontal bands of contrasting brick were set proud of the field brick. It was the Board's expectation that this level of attention in the finish detail will be evident in the completed structure. It was noted during the Board's deliberations that elements of "quirkiness" were characteristic of the commercial establishments along the California Avenue commercial corridor. Part of this "quirkiness" was attributed to the signage of individual shops which the Board thought preferable to more generic/"suburban" signage shown on renderings by the design team. The Board encouraged the design team to explore some of these elements while finalizing the design of the "shops" building. It was also noted that nowhere in the presentation drawings was there an indication of bicycle parking (a Code requirement) and one Board expectation would be the integration of a bicycle parking component into the design. Likewise, it was an expectation that storefront lighting on the west, south and east facades of the "shops" building should be carefully coordinated with adjacent street, walkway and parking lighting.

*Those considerations having been set forth, **five of the six Board members recommended approval of the proposed design of the smaller building.***

While the "shops" building, with further development by the design team of the considerations noted immediately above, was recommended for approval, it was the Board's expectation that the

grocery store building, with its apartment and flex-work components, together with the rest of the site and adjoining right-of way, would undergo further design development in response to the design issues raised by the Board. Those portions of the project would then be returned to the Board for its further review and recommendation.

### **ANALYSIS AND DECISION - DESIGN REVIEW**

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings Design Guidelines*. The Director **APPROVES** the subject design consistent with the Board's recommended conditions which are noted at the end of the decision.

This decision is based on the Design Review Board's final recommendations, on the plans, drawings and other materials presented at the public meeting on October 22, 2009 and the plans on file at DPD. The design, siting, and architectural details of the project are expected to remain substantially as presented at the recommendation meeting except for those alterations made in response to the recommendations of the Board or in response to correction notices and incorporated into the plan sets subsequently submitted to DPD.

### **ANALYSIS - STATE ENVIRONMENTAL POLICY ACT (SEPA)**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated September 22, 2009). The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. This decision also makes reference to and incorporates the project plans submitted with the project application.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that an impact is attributable to the proposal, and only to the extent the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in pertinent part that "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation." Under specific circumstances, mitigation may be required even when the Overview Policy is applicable. SMC 25.05.665(D).

## **ENVIRONMENTAL IMPACTS**

The information provided by the applicant and its consultants, the public comments received, and the experience of DPD with the review of similar proposals form the basis for conditioning the project. The potential environmental impacts disclosed by the environmental checklist are discussed below. Where necessary, mitigation is called for under Seattle's SEPA Ordinance (SMC 25.05).

### **Short - Term Impacts**

Anticipated short-term impacts that could occur during demolition excavation and construction include; increased noise from construction/demolition activities and equipment; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Many of these impacts are mitigated or partially mitigated by compliance to existing codes and ordinances; specifically these are: Storm-water, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). The Department finds, however, that certain construction-related impacts may not be adequately mitigated by existing ordinances. Further discussion is set forth below.

### **Earth**

It is not anticipated that perched groundwater will be encountered during the minor amount of excavation required for the project; any construction dewatering can be handled with ditching and sumps within the excavation. The Seattle Stormwater Grading and Drainage Control Code requires that water released from the site be clean and limits the amount of suspended particles therein. Specifically, the ordinance provides for Best Management Practices to be in place to prevent any of the water or spoil resulting from excavation or grading to enter the area of the wetland or its buffer. No SEPA policy based conditioning of earth impacts during construction is necessary.

### **Traffic and Parking**

Traffic during some phases of construction, such as excavation and concrete pouring, will be expected to be great enough to warrant special consideration in order to control impacts on surrounding streets. Seattle Department of Transportation will require a construction phase truck transportation plan to deal with these impacts. The applicant(s) will be required to submit a Truck Trip Plan to be approved by SDOT prior to issuance of any demolition or building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

### **Noise-Related Impacts**

Both commercial and residential uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction. Compliance with the Noise Ordinance (SMC

22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary. In addition, therefore, as a condition of approval, the proponent will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 7:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m.

### Air Quality Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts from ground clearing,
- Increased noise levels,
- Decreased air quality due to suspended particulates (dust) from excavation and construction, hydrocarbon emissions and greenhouse gas emissions from construction vehicles, equipment, and the manufacture of the construction materials.

Construction will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities, which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne. The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to any demolition on site. If any asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Construction activities themselves will generate minimal direct impacts. However the indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips but also the projects energy consumption, increased demand for public services and utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

### Air Quality

The number of vehicular trips associated with the project will increase the quantities of carbon dioxide and other greenhouse gas emissions in the area. Additionally, the project will create a level of electrical energy demand and natural gas consumption that does not currently exist on the site. Together these changes will result in ambient increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

### Height, Bulk, and Scale

The proposal does not exceed the height of development allowed in the Neighborhood Commercial 2-40 zone. The height, bulk and scale measures were addressed during the Design Review process. Pursuant to the Height, Bulk and Scale Policy of SMC 25.05.675 a project that is approved pursuant to the design review process shall be presumed to comply with the height, bulk and scale policies. The proposed structures have been endorsed by the Design Review Board as appropriate in height, bulk and scale for the project.

### Transportation

A traffic impact analysis, dated November 20, 2009, has been prepared for this project by Heffron Transportation, Inc. According to that analysis the proposed projects would increase site traffic by about 2,710 vehicle trips per day and 325 vehicle trips during the PM peak hour. Of these, 920 daily trips and 143 PM peak hour trips would be new to the site vicinity, with the remaining trips already on the roadway system. The project trips are expected to add very little delay to the study area intersections during the PM peak hour, with each study intersection to operate at Level of Service (LOS) C or better in the future with the proposed project. The analysis concludes that no off-site transportation mitigation is required to accommodate the proposed West Seattle Admiral Safeway redevelopment.

Traffic impacts directly attributable to the 6,860 square- foot “shops” building will constitute but a small portion of the peak impacts.

*Transportation Concurrency*

The City of Seattle has implemented a Transportation Concurrency system to comply with a requirement of the Washington State Growth Management Act (GMA). The system, described in DPD *Director’s Rule 4-99* and the City’s Land Use and Zoning Code, is designed to provide a mechanism that determines whether adequate transportation facilities would be available “concurrent” with proposed development projects. The screen-lines relevant to this project would have v/c ratios less than the respective LOS standard and the addition of peak hour traffic generated by the proposal would meet the City’s transportation concurrency requirements.

*Parking Impacts*

The proposed supply of 20 stalls meets the minimum required by Code. No other SEPA conditioning of parking impacts will be imposed.

**DECISION - SEPA**

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

**SEPA CONDITIONS**

Based upon the above analysis, the Director has determined that the following conditions are reasonable and shall be imposed pursuant to SEPA and SMC Chapter 25.05 (Environmental Policies and Procedures).

The owner(s) and/or responsible party(s) shall:

*During Construction*

1. The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. Since more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction:

The hours of construction activity not conducted entirely within an enclosed structure shall be limited to non-holiday weekdays between 7:00 a.m. and 7:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. unless this restriction is modified on a case by case basis or in an approved Construction/Noise Impact Management Plan prepared and submitted to DPD for approval before any demolition or any phase of construction begins.

### **Conditions-Design Review**

#### **Prior to Issuance of the Master Use Permit**

2. The applicant shall address with the planner the concerns expressed by the Board at the time the Board recommended approval of the overall design of the “shops” commercial building. These included:
  - the Board’s expectation that there would be a level of attention in the finish detail of the building that would capture the tonality of the brick work in the Lafayette Elementary School and this would be clearly evident in the completed structure;
  - the Board’s expectation that some elements of “quirkiness,” characteristic of the commercial establishments along the California Avenue commercial corridor, be introduced to the signage of individual shops, an improvement preferable to the more generic/ modern/“suburban” signage shown on renderings prepared by the design team;
  - the Board’s expectation that storefront lighting on the west, south and east facades of the “shops” building should be carefully coordinated with adjacent street, walkway and parking lighting.

#### **Prior to Issuance of a Certificate of Occupancy**

3. The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of October 22, 2009, except for those alterations made in response to the recommendations of the Board and incorporated into the plan sets to be re-submitted to DPD prior to issuance of the Master Use Permit. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner shall be made at least three (3) working days in advance of the inspection.

Signature: \_\_\_\_\_ (signature on file) Date: March 25, 2010  
Michael Dorcy, Senior Land Use Planner  
Department of Planning and Development  
Land Use Services

MD:lc

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